

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
BAKERY AND CONFECTIONERY
UNION AND INDUSTRY
INTERNATIONAL PENSION FUND,

Plaintiff,

v.

UNITED STATES BAKERY;
MOUNTAIN STATES BAKERIES LLC;
CENTRAL CALIFORNIA BAKING
COMPANY,

Defendants.

Case No. 1:20-cv-01587-DAD-BAM

ORDER REGARDING STIPULATION TO
CONTINUE MANDATORY SCHEDULING
CONFERENCE

(Doc. No. 13)

On January 21, 2021, the parties filed a stipulation to continue the mandatory Scheduling Conference currently set for February 16, 2021. (Doc. No. 13.) The parties assert that a continuance is supported because Defendants' time to respond to the complaint has been extended to February 22, 2021. The parties also assert that a continuance is supported because Defendants have tendered the complaint for defense to their insurers and are awaiting responses. Although Defendants are currently represented by Steven Wilker, and his firm, Tonkon Torp LLP, if the insurers accept defense of the claims, then it is unclear whether the insurers will approve Mr. Wilker as defense counsel. Because Mr. Wilker is uncertain of his role in this action, he is hesitant to make commitments regarding discovery and scheduling in the interim. The parties

1 therefore request that the Scheduling Conference be continued twenty-eight (28) days. (*Id.*)

2 Having considered the parties' stipulation, and good cause appearing, the Scheduling
3 Conference currently set for February 16, 2021, is HEREBY CONTINUED to **March 16, 2021,**
4 **at 9:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe.** At least
5 one (1) full week prior to the conference, the parties shall file a Joint Scheduling Report. The
6 parties shall appear at the conference with each party connecting remotely either via Zoom video
7 conference or Zoom telephone number. The parties will be provided with the Zoom ID and
8 password by the Courtroom Deputy prior to the conference. The Zoom ID number and password
9 are confidential and are not to be shared. Appropriate court attire required.

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11 IT IS SO ORDERED.

12 Dated: January 25, 2021

13 /s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE
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